

OCT 09 2020

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6 Attorneys for Plaintiffs, PEOPLE OF THE STATE
7 OF CALIFORNIA, AND CITY OF CAMARILLO

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 COUNTY OF VENTURA

10
11 CITY OF CAMARILLO, a Municipal
12 Corporation; and PEOPLE OF THE
13 STATE OF CALIFORNIA, by and through
Brian A. Pierik, City Attorney for the City
of Camarillo,

14 Plaintiffs,

15 v.

16 THOMAS W. CHELLIS AND HILDA H.
17 CHELLIS, Trustees of the CHELLIS
18 TRUST DATED 9/22/94; THOMAS
CHELLIS III, an individual; and
DOES 1 through 50, inclusive,

19 Defendants.

Case No.

**COMPLAINT FOR PRELIMINARY AND
PERMANENT INJUNCTION
DECLARATORY RELIEF TO ABATE A
PUBLIC NUISANCE; VIOLATION OF
CAMARILLO MUNICIPAL CODE; AND
REQUEST FOR APPOINTMENT OF
RECEIVER**

[Deemed verified pursuant to CCP § 446.
Any answer to this complaint must be
verified pursuant to CCP § 446]

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22 Plaintiffs People of the State of California and the City of Camarillo by and through Brian
23 A. Pierik, City Attorney for the City of Camarillo, allege as follows:

24 **PARTIES, JURISDICTION, AND VENUE**

25 1. Plaintiff CITY OF CAMARILLO ("City") is, and at all relevant times has been, a
26 municipal corporation, duly organized and existing as a general law city under the laws of the
27 State of California, and is located entirely within the County of Ventura, California.

JP

1 2. The City is authorized by *Health and Safety Code* sections 17960, 17980, 17980.6,
2 17980.7 and 17982 to enforce the State Housing Law and the *State Building Standards Code* and
3 to institute this action to prevent, restrain, correct and/or abate violations of *Health and Safety*
4 *Code* Division 13, Part 1.5, Regulation of Buildings used for Human Habitation, and rules and
5 regulations adopted by the City pursuant to that part. Additionally, *Health and Safety Code*
6 section 17983 authorizes this Court to make any order for which the City makes application under
7 State Housing Law, and *Health and Safety Code* section 17981 authorizes this Court to grant
8 temporary relief pending final disposition of the City's complaint.

9 3. In addition, the City brings this action under California *Civil Code* sections 3479,
10 3480, 3491, and 3494, and California Code of Civil Procedure section 731.

11 4. The City is further authorized to prosecute this action to abate a public nuisance
12 pursuant to *Camarillo Municipal Code* sections 1.12.100, 9.12.020 and 9.17.120.

13 5. Plaintiff People of the State of California ("People"), by and through Brian A.
14 Pierik, City Attorney for the City, brings this action pursuant to California *Code of Civil*
15 *Procedure* section 731.

16 6. City of Camarillo and the People of the State of California shall be collectively
17 referred to herein as "Plaintiffs."

18 7. Plaintiffs are informed and believe, and thereon allege, that since 1994, the record
19 title holder of the residential property located at 2358 Temple Avenue, Camarillo, California,
20 93010 and also known as Ventura County Assessor's Parcel Number 151-0-203-05-0 (the
21 "Property"), is Thomas W. Chellis and Hilda H. Chellis, Trustee of the Chellis Trust dated
22 September 22, 1994, as community property, pursuant to a Quitclaim Deed recorded in Ventura
23 County as Document No. 94-158458 on October 3, 1994.

24 8. Plaintiffs are informed and believe, and thereon allege thereon that Thomas W.
25 Chellis and Hilda H. Chellis are deceased.

26 9. Plaintiffs are informed and believe, that the only son of Thomas W. Chellis and
27 Hilda H. Chellis (Thomas W. Chellis Jr.) died on September 1, 2016.

1 10. Plaintiffs are informed and believe, and thereon allege, Thomas Chellis III, an
2 individual residing in El Paso, Texas, is the grandson of Thomas W. Chellis and Hilda H. Chellis
3 and is the sole surviving heir of the estate.

4 11. Plaintiffs are informed and believe, and thereon allege, that Thomas Chellis III is
5 responsible for the maintenance of the Property conditions alleged herein.

6 12. The true names and capacities of the defendants sued herein as Does 1 through 50,
7 inclusive, are unknown to Plaintiffs, which therefore sue said defendants by such fictitious names
8 pursuant to *Code of Civil Procedure* section 474. Plaintiffs will amend this Complaint to state the
9 true names and capacities of each such fictitiously named defendant when such has been
10 ascertained.

11 13. Plaintiffs are informed and believe and based thereon allege that at all material
12 times defendants Thomas W. Chellis and Hilda H. Chellis, Trustees of the Chellis Trust Dated
13 9/22/94, Thomas Chellis III and Does 1 through 50 (collectively "Defendants") were and now are
14 either the agents or principals of each of the other Defendants, and each other, and in such
15 capacity or capacities, participated in the acts and conduct alleged herein.

16 14. Venue is proper in this judicial district inasmuch as the Property at issue in this
17 proceeding is located within this judicial district.

18 **FACTUAL BACKGROUND**

19 15. Since at least October of 2018 and continuing through the present day, the City has
20 been receiving numerous complaints about the condition of the Property. .

21 16. On or about November 2, 2018, the Camarillo Police Department (Ventura County
22 Sheriff's Department and herein "Camarillo PD") received a call for service to the Property.
23 They arrived to find that the door was open. A search of the house was made with City Code
24 Enforcement officers who determined that, while no one was present at the time, there was
25 evidence that squatters were living in the Property. Two guns and one rifle silencer were taken
26 from the property and booked at Camarillo PD for safekeeping. City building inspectors looked
27 over the Property and the house was "Yellow Tagged." (found not suitable for habitation but
28 repairs could be made and the house could be made suitable).

1 17. Since May of 2019, the City staff has inspected the Property regularly and has
2 undertaken efforts to obtain voluntary compliance from the property owner. The City issued
3 multiple Notices of Violation and Administrative Citations. Despite such efforts, Defendants
4 failed to bring the Property into compliance. The previous owners of the Property Thomas W.
5 Chellis and Hilda H. Chellis, are deceased, and public documents show that their grandson
6 Thomas Chellis III, is the person who is responsible for the maintenance of the Property.

7 18. On or about February 4, 2020, the Camarillo PD received a call for service that
8 transients are "flopping" in the house on the Property. Upon arrival, Police and City Code
9 Enforcement Staff noted that there was evidence that persons were living in the house and
10 burning books in the fireplace for heat. Further inspection revealed that the copper electrical
11 wiring and plumbing had been stripped from the walls and that the house was without heat, light
12 or running water or sanitation. Because of this, the house was red tagged (not fit for human
13 habitation).

14 19. Properties which are both vacant and unsecured for long periods of time are
15 magnets for transients, juveniles, criminal activity, and safety hazards such as fires.

16 20. As of June 5, 2020, City Code Enforcement staff confirmed that the Property was
17 still in violation of the Municipal Code as follows:

- 18 • A failure to maintain utility services on the property, including but not
19 limited to water, electricity, and gas services, as well as trash services in
20 violation of Municipal Code sections 9.04.030 and 9.12.020(A)(4), (C) and
21 (E), 16.04.330; and California Health and Safety Code ("Health & Safety
22 Code") section 17920.3, subdivisions (a)(5), (a)(6), (a)(10) and (c).
- 23 • The property does not have adequate sanitation in violation of Municipal
24 Code sections Municipal Code sections 9.12.020(A)(4), (C) and (E), due to
25 the following: a lack of hot and cold running water (Health & Safety Code
26 § 17920.3(a)(5)); a lack of adequate heating (Health & Safety Code §
27 17920.3(a)(6)); a lack of required electrical wiring (Health & Safety Code
28 § 17920.3(a)(10)); a rat and insect infestation (Health & Safety Code §

1 17920.3(a)(12)); general dilapidation and improper maintenance of the
2 property (Health & Safety Code § 17920.3(a)(14)); and there is a large
3 accumulation of trash throughout the house (Health & Safety Code §
4 17920.3(a)(16)).

- 5 • There is inadequate ingress and egress inside the residence due to the
6 excessive amounts of personal items that have been stored inside, in
7 violation of Municipal Code sections 9.12.020(A)(2) and (A)(3), (C), (E)
8 and (Q). This inadequate ingress and egress also violates California
9 Residential Code section R310.2 which is adopted into the Camarillo
10 Municipal Code at 16.04.010 (j), and California Health and Safety Code
11 section 17920.3, subdivisions (c), and (l).
- 12 • There is standing, contaminated water in the back yard, in violation of
13 Municipal Code sections 9.12.020(A)(4), (C), (E) and (P), and California
14 Health and Safety Code section 17920.3, subdivision (c).
- 15 • There are broken and/or missing windows and window screens throughout
16 the residence, in violation of Municipal Code section 9.12.020 (D), and
17 California Health and Safety Code section 17920.3, subdivisions (c) and
18 (g) (2).
- 19 • There is faulty weather protection due to defective or lack of weather
20 protection for exterior wall coverings, including lack of paint, or
21 weathering due to lack of paint or other approved protective covering on
22 the residence and garage, in violation of Health and Safety Code section
23 17920.3, subdivisions (c) (g)(2) and (g)(3).]
- 24 • There are no working smoke alarms in the bedrooms, in violation of
25 California Residential Code section R314.5 which is adopted into the
26 Camarillo Municipal Code at 16.04.010 (j), and California Health and
27 Safety Code section 17920.3, subdivision (c).]

- The laundry and living rooms do not have working smoke and carbon monoxide detectors, in violation of California Residential Code section R314.5 which is adopted into the Camarillo Municipal Code at 16.04.010 (j), and California Health and Safety Code section 17920.3, subdivision (c).]
- There is an accumulation of junk, debris, garbage, rodent harborages, and similar materials or conditions that constitute a fire, health, or safety hazard, in violation of Municipal Code sections 9.12.020 (C) and (I) and California Health and Safety Code section 17920.3, subdivisions (c) and (j).
- There has been a failure to maintain adequate landscaping and approved ground cover in the front and back yards, in violation of Municipal Code sections 9.12.020 (c) 19.36.160 (B) and California Health and Safety Code section 17920.3, subdivisions (c), (j).
- The property appears to be abandoned and unsecured requiring securing and maintaining against public access through openings in the abandoned house in violation of Health and Safety Code section 17920.3(a)(14)

21. Furthermore, all of the violations above have left the Property in such a condition of deterioration and disrepair that it is expected to cause a diminution of the property values of the homes located on adjacent lots and interferes with the peaceful use, possession and/or enjoyment of such adjacent lots in violation of Municipal Code section 9.12.020(D).

22. On June 5, 2020, City Attorneys sent defendants a Final Notice to Abate letter as required by Health and Safety Code section 17980.6. The Notice to Abate was also posted on the Property by City staff. The letter advised Defendants of the numerous violations on the Property and the actions necessary to bring the Property into compliance. The Notice to Abate gave Defendants until June 19, 2020 to abate the nuisance conditions on the Property.

1 23. To date, Defendants have done nothing to ameliorate the conditions on the
2 Property. Despite numerous notices to abate from the City, and numerous citations for code
3 violations on the Property, Defendants have been unwilling and/or incapable of correcting the
4 innumerable violations at the Property.

5 **FIRST CAUSE OF ACTION**

6 *(For Order to Repair Substandard Property)*

7 *(Against All Defendants)*

8 24. Plaintiffs incorporate the allegations of paragraphs 1 through 23 above as though
9 fully set forth herein.

10 25. The Property is a substandard property as defined by *Health and Safety Code*
11 section 17920.3. Moreover, the Property is in violation of the rules and regulations adopted by
12 the City pursuant to the State Housing Law contained in the *Camarillo Municipal Code*, which
13 adopts by reference the *California Building Code*, *California Electrical Code*, *California*
14 *Plumbing Code*, *California Mechanical Code*, and *California Fire Code*.

15 26. The Property has been in a severe state of neglect and deterioration. Despite
16 numerous notices to abate from the City, Defendants have been unwilling and/or incapable of
17 correcting the innumerable violations at the Property. To date, the public nuisance conditions
18 identified above remain on the Property.

19 27. Accordingly, pursuant to *Health and Safety Code* sections 17980, 17981, 17982
20 and/or 17983, the City seeks an order from this Court to prevent, restrain, correct and/or abate
21 these violations and/or nuisances.

22 **SECOND CAUSE OF ACTION**

23 *(Petition for Orders Pursuant to Health and Safety Code section 17980.7)*

24 *(Against All Defendants)*

25 28. Plaintiffs incorporate the allegations of paragraphs 1 through 27 above as though
26 fully set forth herein.

27 29. The Property is in violation of the rules and regulations adopted by the City
28 pursuant to the State Housing Law contained in the *Camarillo Municipal Code*, which adopts by

reference the *California Building Code*, *California Electrical Code*, *California Plumbing Code*, *California Mechanical Code*, and *California Fire Code*, and the violations are so extensive and of such a nature that the health and safety of the public is substantially endangered , as described in *Health and Safety Code* section 17980.6.

30. The Property has been in a severe state of neglect and deterioration. Despite numerous notices to abate from the City, Defendants have been unwilling and/or incapable of correcting the innumerable violations at the Property. To date, the public nuisance conditions identified above remain on the Property.

31. By way of this Petition, the City seeks an order from this Court finding that the Property is in violation of the rules and regulations adopted by the City pursuant to the State Housing Law contained in the *Camarillo Municipal Code*, which adopts by reference the *California Building Code*, *California Electrical Code*, *California Plumbing Code*, *California Mechanical Code*, and *California Fire Code*, and the violations are so extensive and of such a nature that the health and safety of the public is substantially endangered.

32. The City also seeks an order appointing a receiver for the substandard property pursuant to *Health and Safety Code* section 17980.7.

33. Plaintiffs seek an order granting the receiver all of the following powers and duties:

- (a) To take full and complete control of the substandard Property.**
- (b) To manage the substandard Property and pay expenses of the operation of the substandard residence and the real property upon which the residence is located, including taxes, insurance, utilities, general maintenance, and debt secured by an interest in the real property.**
- (c) To secure a cost estimate and construction plan from a licensed contractor for the repairs necessary to correct the conditions cited in the Notices of Violation.**
- (d) To enter into contracts and employ a licensed contractor as necessary to correct the conditions cited in the Notices of Violation.**

1 (e) To borrow funds to pay for repairs necessary to correct the conditions cited
2 in the Notices of Violation and, with court approval, to secure that debt and
3 any moneys owed to the receiver for services performed with a lien on the
4 Property, which shall be recorded in the county recorder's office in the
5 county within which the Property is located.

6 (f) To exercise the powers granted to receivers under Code of Civil Procedure
7 section 568.

8 34. Plaintiffs also seek an order stating that the receiver is entitled to the same fees,
9 commissions and necessary expenses as receivers in actions to foreclose mortgages.

10 35. Plaintiffs also seek an order requiring the receiver to prepare monthly reports to
11 the City in accordance with Health and Safety Code section 17980.7(c)(8).

12 36. Plaintiffs also seek an order that the receiver shall not be discharged until the
13 conditions cited in the Notices of Violation have been remedied in accordance with the court
14 order or judgment and a complete accounting of all costs and repairs has been delivered to the
15 Court.

16 37. Plaintiffs also seek an order that, after discharging the receiver, the Court shall
17 retain jurisdiction for a time period not to exceed 18 consecutive months, and require Defendants
18 to report to the Court in accordance with a schedule determined by the Court.

19 38. Plaintiffs also seek an award of reasonable attorney's fees and court costs as may
20 be fixed by the Court pursuant to *Health and Safety Code* section 17980.7(c)(11), (d)(1) as well
21 as local law.

22 39. Plaintiffs also seek an order requiring Defendants to pay all reasonable and actual
23 costs of the City related to this Petition, including, but not limited to, inspection costs,
24 investigation costs, enforcement costs, attorney fees or costs, and all costs of prosecution pursuant
25 to *Health and Safety Code* section 17980.7(c)(11), (d)(1).

26 40. The City also seeks an order that failure to comply with any order issued shall be
27 punishable by civil contempt, penalties under Chapter 6 (commencing with Section 17995) of the
28 *Health and Safety Code*, and any other penalties and fines as are available.

1 **THIRD CAUSE OF ACTION**

2 *(Abatement of a Public Nuisance to Correct Municipal Code Violations)*

3 *(Against All Defendants)*

4 41. Plaintiffs incorporate by this reference the allegations contained in paragraphs 1
5 through 40 of this Complaint as though fully set forth herein.

6 42. At all times herein mentioned, the City was and is a general law city, duly
7 organized and existing under the laws of the State of California, and is charged with maintaining
8 the public health, safety, and welfare of its citizens. To that end, the City has enacted the
9 Camarillo Municipal Code ("Municipal Code"), which applies to all persons and entities within
10 its territorial boundaries and to all persons and entities who do business or use land within the
11 City.

12 43. The conditions of the Property alleged above constitute ongoing violations of
13 various provisions of the Health and Safety Code and the Camarillo Municipal Code.

14 44. Plaintiffs have no plain, speedy or adequate remedy at law to correct the illegal,
15 dangerous and hazardous conditions that exist on the Property. The Court is expressly permitted
16 by *Code of Civil Procedure* section 731 and *Camarillo Municipal Code* sections 1.12.100 and
17 9.17.120 to issue an injunction to abate public nuisances that are presently being allowed to exist
18 at the Property

19 45. Unless preliminarily and permanently enjoined by this Court, Defendants will
20 continue to maintain the public nuisances now existing on the Property.

21 **FOURTH CAUSE OF ACTION**

22 *(Maintenance of a Public Nuisance)*

23 *(Against All Defendants)*

24 46. Plaintiffs incorporate the allegations of paragraphs 1 through 45 above as though
25 fully set forth herein.

26 47. Defendants have caused and maintained a continuing public nuisance on the
27 Property. The Property is a public nuisance because, amongst other issues (1) the dilapidated and
28 abandoned residential structure on the Property constitutes a fire hazard and is an attractive

1 nuisance and danger to trespassers and neighboring properties; (2) there is an accumulation of
2 trash and debris and rat feces throughout the Property; and (3) the vegetation on the Property is
3 encroaching on neighboring properties and creating a fire hazard.

4 48. Defendants' maintenance of the Property in the condition described above is a
5 continuing public nuisance as defined in *California Civil Code* sections 3479 and 3480.

6 Furthermore, the residential structure on the Property is a substandard building pursuant to *Health*
7 *and Safety Code* section 17920.3. The Property affects the entire community and neighborhood.
8 Its current condition is injurious to health, offensive to the senses, and obstructs the free use of the
9 Property and neighboring properties by interfering with the comfortable enjoyment of life or
10 property. Such a condition is objectionable to the neighborhood and community as a whole.

11 49. Defendants were notified of the *Camarillo Municipal Code* violations by multiple
12 written notices. Defendants have not corrected the violations nor has she demonstrated to
13 Plaintiffs any ability to permanently correct these violations. Therefore, Plaintiffs are informed
14 and believe that Defendants will continue to maintain the Property in the above-described
15 condition, thereby causing injury and harm to the public's health, safety, and welfare.

16 50. Plaintiffs have no plain, speedy or adequate remedy at law to correct the illegal,
17 dangerous and hazardous conditions that exist on the Property. The Court is expressly permitted
18 by *Code of Civil Procedure* section 731 to issue an injunction to abate public nuisances that are
19 presently being allowed to exist at the Property.

20 FIFTH CAUSE OF ACTION

21 *(Declaratory Relief – Against all Defendants)*

22 51. Plaintiffs incorporate by this reference the allegations contained in paragraphs 1
23 through 50 of this Complaint as though fully set forth herein.

24 52. An actual controversy now exists between Plaintiffs and Defendants regarding
25 whether Defendants are obliged to maintain the Property in conformity with the applicable
26 provisions of the *Health and Safety Code*, the *Camarillo Municipal Code* and other governing
27 law, and whether Defendants are permitted to maintain a public nuisance at the Property.

1 53. Plaintiffs contend that Defendants are required by law to maintain the Property in
2 conformity with the applicable provisions of the *Health and Safety Code, the Camarillo*
3 *Municipal Code* and other governing law, and that Defendants may not maintain an unabated
4 public nuisance on the Property.

5 54. This controversy involves the construction and interpretation of the *Health and*
6 *Safety Code, the Camarillo Municipal Code* and other codes applicable to the Property.

7 55. Plaintiffs seek a declaration that Defendants' maintenance of the Property, as
8 stated above, are prohibited acts and violations of the Municipal Code and constitute public
9 nuisances and nuisances *per se* subject to abatement as provided by law.

10 **PRAYER FOR RELIEF**

11 WHEREFORE, Plaintiffs People of the State of California and City of Camarillo pray for
12 relief as follows:

13 **ON THE FIRST CAUSE OF ACTION:**

14 1. A declaration that the Property is substandard within the meaning of *Health and*
15 *Safety Code* section 17920.3.

16 2. An order to prevent, restrain, correct and/or abate the violations and/or nuisances
17 at the Property.

18 3. An order to require vacation of the Property to prevent or remedy any immediate
19 threat to the health and safety of the public.

20 **ON THE SECOND CAUSE OF ACTION:**

21 1. An order finding that the Property is in violation of the rules and regulations
22 adopted by the City pursuant to the State Housing Law contained in the *Camarillo Municipal*
23 *Code*, which adopts by reference the *California Building Code, California Electrical Code,*
24 *California Plumbing Code, California Mechanical Code, and California Fire Code*, and the
25 violations are so extensive and of such a nature that the health and safety of the public is
26 substantially endangered.

1 2. An order that Defendants may not claim any deduction with respect to state taxes
2 for interest, taxes, expenses, depreciation, or amortization paid or incurred with respect to the
3 Property in the past taxable years from 2018 to the present.

4 3. An order appointing a receiver for the substandard Property pursuant to *Health*
5 *and Safety Code* section 17980.7 and granting the receiver all of the following powers and duties:

- 6 (a) To take full and complete control of the substandard Property.
- 7 (b) To manage the substandard Property and pay expenses of the operation of
8 the substandard residence and the real property upon which the residence is
9 located, including taxes, insurance, utilities, general maintenance, and debt
10 secured by an interest in the real property.
- 11 (c) To secure a cost estimate and construction plan from a licensed contractor
12 for the repairs necessary to correct the conditions cited in the Notices of
13 Violation.
- 14 (d) To enter into contracts and employ a licensed contractor as necessary to
15 correct the conditions cited in the Notices of Violation.
- 16 (e) To borrow funds to pay for repairs necessary to correct the conditions cited
17 in the Notices of Violation and, with court approval, to secure that debt and
18 any moneys owed to the receiver for services performed with a lien on the
19 Property, which shall be recorded in the county recorder's office in the
20 county within which the Property is located.
- 21 (f) To exercise the powers granted to receivers under *Code of Civil Procedure*
22 section 568.

23 4. An order stating that the receiver is entitled to the same fees, commissions and
24 necessary expenses as receivers in actions to foreclose mortgages.

25 5. An order requiring the receiver to prepare monthly reports to the City in
26 accordance with Health and Safety Code section 17980.7(c)(8).
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1 6. An order that the receiver shall not be discharged until the conditions cited in the
2 Notices of Violation have been remedied in accordance with the court order or judgment and a
3 complete accounting of all costs and repairs has been delivered to the Court.

4 7. An order that, after discharging the receiver, the Court shall retain jurisdiction for
5 a time period not to exceed 18 consecutive months, and require Defendants to report to the Court
6 in accordance with a schedule determined by the Court.

7 8. Awarding reasonable attorney's fees and court costs as allowed by state and local
8 law and as may be fixed by the Court.

9 9. Pursuant to *Health and Safety Code* section 17980.7(d), requiring Defendants to
10 pay all reasonable and actual costs of the City related to this Petition, including, but not limited
11 to, inspection costs, investigation costs, enforcement costs, attorney's fees and costs, and all costs
12 of prosecution.

13 10. An order that failure to comply with any order issued shall be punishable by civil
14 contempt, penalties under Chapter 6 (commencing with section 17995) of the *Health and Safety*
15 *Code*, and any other penalties and fines as are available.

16 **ON THE THIRD CAUSE OF ACTION:**

17 1. For a preliminary and permanent injunction requiring Defendants and each and all
18 of their agents, representatives, assigns, and all persons acting in concert with them to make all
19 corrections necessary to bring the Property into compliance with the *Health and Safety Code*,
20 *Camarillo Municipal Code*, and all applicable state and local building, zoning, housing, property
21 maintenance, electrical, plumbing, mechanical, administrative, and health and safety codes
22 forthwith.

23 2. For a preliminary and permanent injunction stating that if Defendants fail to
24 complete the work required to correct all code violations at the Property and bring the Property
25 into compliance with the *Health and Safety Code*, *Camarillo Municipal Code*, and all applicable
26 state and local building, zoning, housing, property maintenance, electrical, plumbing, mechanical,
27 administrative, and health and safety codes forthwith, then upon further application to the Court
28 by Plaintiffs, the Court will issue an order that Plaintiffs be permitted to abate or correct such

1 violations at Defendants' expense or the Court will appoint a receiver to manage the Property and
2 correct such violations.

3 3. For a preliminary and permanent injunction requiring Defendants to maintain the
4 Property in conformance with all applicable codes, regulations, and laws on an ongoing basis.

5 4. An order stating that any violations of the aforementioned orders or any other
6 terms of the injunction will result in a finding of contempt.

7 5. An order stating that any violations of the aforementioned orders or any other
8 terms of the injunction may result in sanctions of \$1,000 per violation per day upon application
9 by the City or any aggrieved person.

10 **ON THE FOURTH CAUSE OF ACTION**

11 1. For a preliminary and permanent injunction requiring Defendants and each and all
12 of their agents, representatives, assigns, and all persons acting in concert with them to make all
13 corrections necessary to bring the Property into compliance with the *Health and Safety Code*,
14 *Camarillo Municipal Code*, and all applicable state and local building, zoning, housing, property
15 maintenance, electrical, plumbing, mechanical, administrative, and health and safety codes
16 forthwith.

17 2. For a preliminary and permanent injunction stating that if Defendants fail to
18 complete the work required to correct all code violations at the Property and bring the Property
19 into compliance with the *Health and Safety Code*, *Camarillo Municipal Code*, and all applicable
20 state and local building, zoning, housing, property maintenance, electrical, plumbing, mechanical,
21 administrative, and health and safety codes forthwith, then upon further application to the Court
22 by Plaintiffs, the Court will issue an order that Plaintiffs be permitted to abate or correct such
23 violations at Defendants' expense or the Court will appoint a receiver to manage the Property and
24 correct such violations.

25 3. For a preliminary and permanent injunction requiring Defendants to maintain the
26 Property in conformance with all applicable codes, regulations, and laws on an ongoing basis.

27 4. An order stating that any violations of the aforementioned orders or any other
28 terms of the injunction will result in a finding of contempt.

1 5. An order stating that any violations of the aforementioned orders or any other
2 terms of the injunction may result in sanctions of \$1,000 per violation per day upon application
3 by the City or any aggrieved person.

4 **ON THE FIFTH CAUSE OF ACTION:**

5 1. A declaration that the Property is being maintained in an illegal condition and
6 constitutes a public nuisance *per se*.

7 **ON ALL CAUSES OF ACTION:**

8 1. For Plaintiffs' fees and costs incurred herein, including, but not limited to,
9 attorney's fees as provided by statute and law, administrative costs, abatement costs, inspection
10 costs, investigation costs and enforcement costs.

11 2. For such other relief as the Court deems just and proper.

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13 Dated: October 9, 2020

BURKE, WILLIAMS & SORENSEN, LLP

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15 By: 

16 Brian I. Hamblet
17 Attorneys for Plaintiffs
18 People of the State of California, and
19 City of Camarillo
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